

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION**

CRIMINAL CASE NO. 2:09cr18

UNITED STATES OF AMERICA,)	
)	
)	
vs.)	<u>SPECIAL VERDICT</u>
)	Pursuant to 18 U.S.C.
)	§ 4242(b)(3)
RICHARD SHANNON UNDERWOOD.)	
<hr/>)	

THIS MATTER came for trial and was heard by the undersigned judge without a jury on May 31, 2011.

WAIVER OF JURY TRIAL

The Defendant Richard Shannon Underwood waived his right to a jury trial and the Government has consented. The Court approves this waiver pursuant to Rule 23(c) of the Federal Rules of Criminal Procedure.

SPECIAL VERDICT

After considering the facts stipulated by the parties, as well as the forensic psychiatric report from the Bureau of Prisons (BOP), the Court finds by clear and convincing that the Defendant is **Not Guilty Only by Reason of Insanity** of Counts One, Two, and Three of the Superseding Bill of Indictment. 18 U.S.C. § 4242(b)(3).

Based on the Court's Verdict with respect to Counts One, Two, and Three of the Superseding Bill of Indictment,

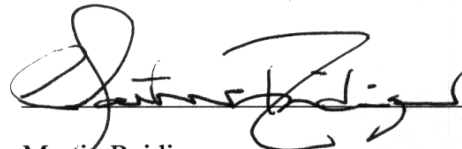
IT IS, THEREFORE, ORDERED that the Defendant is hereby remanded from the custody of the United States Marshals Service and is hereby committed to the custody of the United States Attorney General for a reasonable period, not to exceed 45 days, for placement in a suitable facility. 18 U.S.C. §§ 4243(a), 4247(b). The United States Marshals Service shall complete the transfer of custody and the Attorney General shall designate a suitable facility for the Defendant as expeditiously as possible.

IT IS FURTHER ORDERED that a psychiatric or psychological examination of the Defendant shall be conducted and a psychiatric or psychological report be filed with the Court for the purpose of determining whether the Defendant is suffering from a mental disease or defect as a result of which his release would create a substantial risk of bodily injury to another person or serious damage to property of another, see 18 U.S.C. § 4247(c)(4)(C). The psychiatric or psychological report shall be completed as expeditiously as possible.

The Clerk of Court shall provide copies of this Special Verdict to counsel for the Government, counsel for the Defendant, and the United States Marshals Service.

IT IS SO ORDERED.

Signed: May 31, 2011


Martin Reidinger
United States District Judge

